

REMARKS

Allowable Subject Matter:

Applicant thanks the Examiner for indicating that claims 9, 10, 12, 34, 37, 38, 41 and 42 have been allowed.

Claim Rejections:

Claims 9-12, 24-27, 33, 34 and 37-54 are all the claims pending in the application, and currently claims 11, 24-27, 33, 39, 40 and 43-54 stand rejected.

35 U.S.C. § 101 Rejection – Claims 24-27 and 45-52:

Claims 24-27 and 45-52 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended the claims as shown in the previous section to address the Examiner's concerns and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 101 rejection of these claims.

35 U.S.C. § 102(e) Rejection – Claims 40, 44, 53 and 54:

Claims 40, 44, 53 and 54 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,377,359 to Higashio.

As shown in the previous section, Applicant has amended the claims to incorporate the limitations of original claims 12 and 34, respectively, which were indicated as allowable in the October 7, 2005. Accordingly, Applicant submits that these claims are also allowable for the reasons previously indicated.

35 U.S.C. § 103(a) Rejection – Claims 11, 26, 33, 39, 43, 47 and 51:

Claims 11, 26, 33, 39, 43, 47 and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Higashio in view of U.S. Patent No. 6,344,907 to Watanabe et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

In the claimed invention, the data saving unit relates and saves thumb nail data of the image data together with the parameter. Having the thumb nail data and the parameter stored together allows the image data to be stored in a common storage area, without being affected by any one individuals' parameter for image processing. Thus, several individuals can store image data in a common storage area, which can be shared, and each can individually apply image processing to the image data as they desire. Then the processed image, for each individual, can be held as thumb nail data, while the original image data can still be held in a common area without being affected by each individuals' image processing. This is simply not disclosed, taught or suggested in the Watanabe reference.

As admitted by the Examiner, Higashio fails to disclose or teach saving thumbnail data with a parameter. The Examiner attempts to cure this deficiency by arguing that Watanabe cures this deficient teaching. Applicant respectfully disagrees.

Specifically, Applicant notes that Watanabe merely discloses the existence of thumb nail data, as shown in Figures 8 and 9. However, in the claimed invention a data saving unit saves the image data and the parameter together with relating information, and the data saving unit relates and saves thumb nail data of the image data together with the parameter. There is no disclosure in either of the cited references of the relating information, as set forth in the claimed invention. The claimed relating information allows the user to have the benefit of acquiring the processed image immediately by accessing their own thumb nail data. This benefit can not be

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obtained by the above combination, because even if the references were combined, as suggested, they would fail to teach or suggest each and every feature of the claimed invention.

In view of the foregoing, Applicant submits that even if a skilled artisan would have combined the above references as suggested (which Applicant does not admit) the resultant combination would not teach or suggest each and every feature of the claimed invention. Therefore, Applicant submits that the Examiner has failed to establish a *prima facie* case as required under the provisions of 35 U.S.C. § 103(a). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of the above claims.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

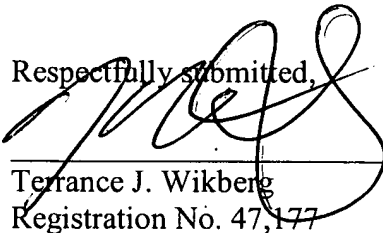
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Respectfully submitted,

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